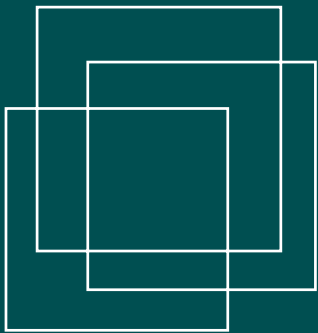




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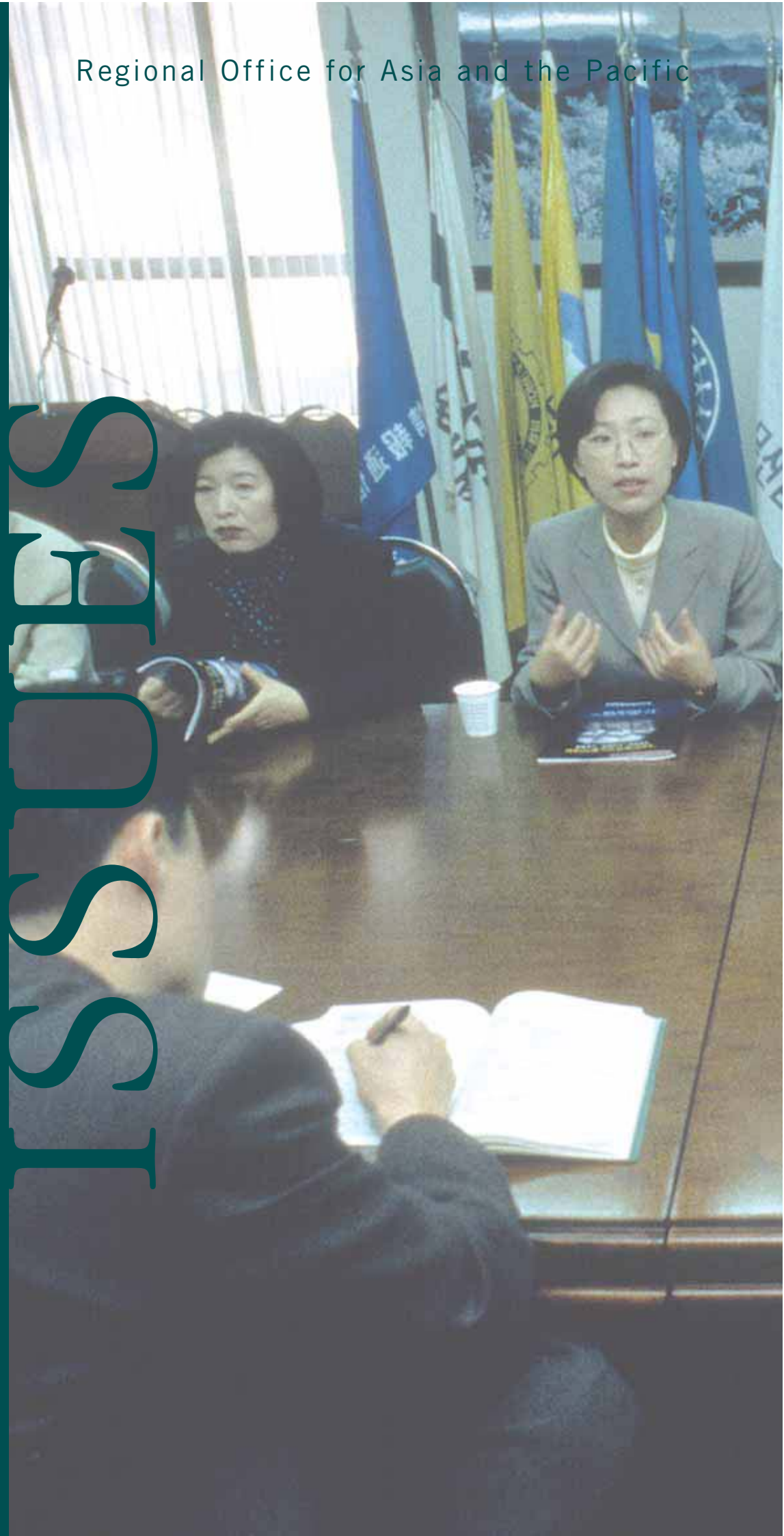
Employers and
Decent Work

Social Dialogue
in Viet Nam

Asian Decent
Work Decade

Child Labour
in Thailand

December 2006
Vol. 5, No. 3



ASIAN
SOCIETY

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Cover Photo:
Trade union meeting in Korea
Photo: ILO/J.Maillard

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IN BRIEF



Staff from the ILO Office in Manila used the worldwide "Stand Up Against Poverty" event on 16 October to promote the importance of decent work in ending poverty.

ILO launches decent work research prize

The ILO's Institute for Labour Studies has announced the first annual "ILO Decent Work Research Prize", to be awarded to an individual who makes an outstanding contribution to the advancement of

knowledge about decent work for all. The winner will receive US\$10,000 and an Honorary Fellowship of the Institute, and will be invited to give a lecture to a specially-invited international audience. More details can be found at www.ilo.org/public/english/bureau/inst/download/nom.pdf

Japanese expert talks on migration and ageing

Professor Dr. Yashushi Iguchi from Kansei Gakuin University, Japan, gave a lecture on the implications for migration and the labour

market of Japan's ageing and declining population. The talk was part of the ILO's Informal Seminar Series on Migration and took place at the ILO's regional headquarters in Bangkok.

Viet Nam/Thai WIND exchange

Thirteen Vietnamese farmers and provincial government labour officials visited Thai farmer Work Improvement in Neighborhood Development (WIND) projects to share experiences in occupational safety

and health (OSH). The Vietnamese delegation came from four provinces: Nghe An, Hanam, Can Tho and Hau Giang. During their tour, from 9-13 October, they visited sites in Ayutthaya and Samut Sakhon.

Second "Asia Working" TV series starts

The Asia-Pacific Broadcasting Union (ABU) and the Department of Communications of the ILO began the second round of a training initiative designed to increase television coverage of the ILO and workplace issues

in Asia Pacific. Fifteen TV journalists from the region will, after training, make and broadcast three or four reports under the series title "Asia Working". The first workshop was held during the AsRM in Busan and the second session will be in Hong Kong in November.

AsRM AGREES ASIAN DECENT WORK DECADE

By Oktavianto Pasaribu, Regional Programme Analyst, ILO Regional Office for Asia and the Pacific

Governments', employers' and workers' organizations from Asia, the Pacific and Arab member States of the ILO declared the beginning of the "Asian Decent Work Decade" at the end of the 14th Asian Regional Meeting (AsRM) in Busan, Republic of Korea. They committed themselves to implementing policies and programmes for the progressive realization of full and productive employment and decent work for all by 2015.

In taking this step these ILO member countries continue to provide global policy leadership towards the achievement of a fair globalization. In recent years Asia has led the world in economic growth and development. Now its countries can set an example by showing that social policy can go hand-in-hand with economic performance as a means of providing people with a better life. This is a significant step forward for every worker in the region – female or male, young or old, skilled or unskilled – and their children, and will help workers get a fairer share of the fruits of the region's stunning economic growth.

It is a big challenge. In spite of a strong economic performance the growth of employment has remained disappointing. Between 2004 and 2005 employment in Asia and the Pacific increased by 1.4 per cent while the economy grew by about 6.2 per cent. At approximately 1.8 billion, Asia's labour force is enormous, and will grow by an estimated 240 million or 13.4 per cent in the next 10 years. The most rapid labour force increases will be in countries with the highest numbers of working poor and the largest informal economies. Unless economic growth becomes more



President Roh Moo-hyun of the Republic of Korea addresses the opening of the AsRM in Busan
Photo: Ministry of Labour, Republic of Korea

employment-intensive or there is a significant and sustainable increase in growth, the prospects of realizing decent work goals are bleak.

To tackle this issue the tripartite constituents reaffirmed their commitment to implementing their national plans of action for decent work. Help from the ILO will be available if required.

In particular, the interconnected priorities will focus on ways to:

- Promote sustainable productivity growth, competitive economies, job creation and equal opportunities for decent and productive work, with special attention to the needs of vulnerable workers;
- Promote the ratification of core labour standards;
- Promote access to education for all, to ensure workers have the skills that will enhance their long-term employability;
- Promote decent work opportunities and access to entrepreneurship for young women and men, in particular by easing the school-to-work transition and the sharing of good practices;
- Combat all forms of child labour;
- Improve dialogue about and the management of labour migration to benefit both sending and receiving countries and protect the rights and equal treatment of migrant workers;
- Improve effective labour market governance by adopting, implementing and reviewing labour laws and social policies in light of the objectives of full and productive work based on the Decent Work Agenda;

- Develop labour management cooperation, bipartite partnership mechanisms, frameworks for social dialogue, and other appropriate institutions and regulations, as important elements for the effective and fair functioning of labour markets;
- Extend the effectiveness and coverage of social protection for all, including to workers in the informal economy;
- Promote occupational safety and health; and
- Strengthen the capacity of social partners and labour administrations.

In just a few short years, decent work has moved from its origin as a vision at the ILO to become a part of national policy debates and agendas. The UN World Summit in New York in 2005 and its Economic and Social Council (ECOSOC) in 2006 raised the idea of decent work to the highest political levels.

Regional and other international organizations are also being called upon to work closely with the ILO to help promote decent work and poverty reduction.

The challenges ahead are tremendous but the goal of realizing decent work in the region is not beyond reach. As the ILO's constituents themselves said, in the Conclusion of the 14th AsRM, "We are convinced that the ILO's Decent Work Agenda can contribute to a sustainable route out of poverty, assist in addressing the growing economic inequalities both within and between countries in the region, and thus, make an important contribution to the achievement of the Millennium Development Goals."

CREATING INCLUSIVE LABOUR MARKETS: KOREA'S EXPERIENCE

The Republic of Korea, where the 14th Asian Regional Meeting was held, is one of the fastest developing economies in the region. Sangheon Lee, from the ILO's Conditions of Work and Employment Programme, looks at some characteristics of Korea's labour markets and what lessons other economies might learn from Korea's experience of handling rapid change.

Globalization and flexible working practices are changing the way people work in Asia. They bring opportunities but leave social and political consequences for employers, workers and governments. As all three “social partners” come to grips with these challenges, the example of Korea shows how a rapidly growing economy can manage the transformation.

The recent ILO report, *Labour and Social Trends in Asia and the Pacific 2006*, explains that despite good news about declining poverty rates and impressive job creation in IT-related industries in the region, there is concern about the increasing use of “non-standard employment”, outsourcing and poorly developed social security systems.

The optimists argue that a rising tide will lift all boats. The pessimists, however, say that the new jobs created in the so-called knowledge economy are often inferior or of questionable quality.

It is a tremendous challenge to develop an inclusive labour market that provides appropriate security for workers while maximizing the benefits of globalization and flexibility.

In meeting these challenges Korea's recent experience offers valuable insights. Notable efforts have been made to upgrade job quality for more workers through policy initiatives such as minimum wages, employment insurance and training programmes. Social dialogue has been encouraged to address issues that may trigger sharply different points of view among the social partners.

When looking for “lessons learned” from Korea's experiences two issues are particularly relevant for the rest of the region: working time and non-standard employment.

The reduction of statutory working hours from 44 to 40 hours per week was an important achievement in Korea, where working hours are not just the longest of all OECD countries (about 2,400 hours per year in 2005, about 75 per cent longer than in

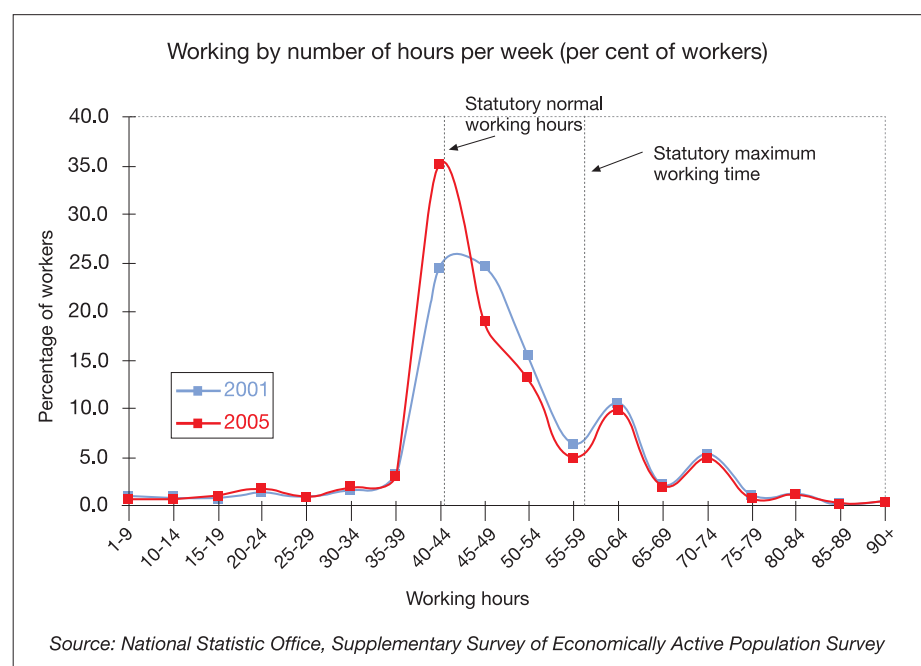
the Netherlands) but also exceed those in other developing countries in the region.

The Korean experience suggests the importance of legal initiatives in countries where collective bargaining is underdeveloped or fragmented, as it is in most Asian countries.

A three-way national dialogue between employers, workers and the government has also helped. In 2005, for the first time in history, a large majority of workers were working less than 50 hours per week, and this trend is expected to continue in the coming years (see chart below).

Yet, as in many other countries, inefficient enforcement of the rules means many workers still work longer than the statutory normal hours and even more than the statutory maximum hours (including overtime). In short, normal hours tend to be “abnormal”.

Another challenge – not unique to Korea – is the risk that those workers who need legal protection most are likely to be the same workers who benefit least from rules defining a 40-hour work-week.





Women packaging beauty products on an assembly line in Seoul. Photo: ILO/J. Maillard

Long working hours tend to be found most often in small enterprises and among “non-standard” workers, (for example, temporary and daily workers). It is estimated that in 2005 these workers were working about 12 per cent more, but earning about 50 per cent less than the others. These hour – and wage – gaps appear to have increased over the years.

Spreading the benefits of the new standard hours to these “non-standard” workers thus remains an important policy challenge for the social partners in Korea.

The second key issue, non-standard employment, is probably the most controversial labour market issue in Korea. Estimates of the level of non-standard employment vary depending on the definitions used, but even the lowest exceeds 35 per cent, and the trend has been increasing since the 1997 financial crisis.

This issue is not only about employment security, it has wider implications for employment conditions generally. It is no

surprise to see evidence that the increasing use of non-standard employment has been accompanied by “job-quality polarization” in Korea.

There is general agreement on the need for policies to redress this balance. An intensive social dialogue aimed at establishing an inclusive labour market is under way, although the outcome is yet to be seen and the obstacles involved are huge.

This issue does not only concern Korea; the trend toward flexible working is seen throughout the region. Heated debates on non-standard employment are going on in Japan and Australia, where there is a new labour law on “work choices”. Developing and transitioning countries in the region (such as China, the Philippines and Malaysia) also face pressure to legalize more flexible types of employment or remove the constraints placed on their use.

In Asia’s developing countries any debate that refers to the need for “non-standard” employment is something of a paradox

because it is already prevalent. The fact is that “standard” employment has never been “standard” in these markets. Due to the traditional predominance of informal employment, workers with so-called “standard” employment have always been a minority.

Asia has benefited more than most regions in the world from rapid economic integration. And it has often been noted that the high level of labour market flexibility has contributed to its remarkable economic success.

During the recovery from the 1997 financial crisis the use of temporary employment has been legally recognized and hiring and firing have been made easier in many countries.

But globalization and flexibility do not have to mean a lower level of security and protection for workers. New forms of security should be provided to encourage workers to adapt to risk-taking and change at the workplace. It would be a mistake to see flexibility and security as a trade-off – what is needed is to develop a complementary relationship between the two.

As global economic integration continues the Korean experience can be a lesson for other countries in the region. All its Asian neighbours are watching Korea, hoping that it will be able to demonstrate a way, through dialogue, of creating an inclusive labour market.

Reference

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CHILD LABOUR IN THAILAND

By Anders Lisborg, Associate Expert, International Programme on the Elimination of Child Labour, and Paul Buckley, Intern.

Ann is a 15-year-old Burmese girl working at a sewing factory in Mae Sot, northern Thailand. She works more than 12 hours per day, seven days a week and earns as little as 200 Thai baht (US\$5) per week. She is compelled to work unpaid overtime. Once when she asked her supervisor not to have to work overtime she was punished by being forced to use a sewing machine known to have wiring problems and therefore repeatedly gave her painful electrical shocks.

Ann's case paints a depressing picture of the life of a girl who tried to find decent work to help support her family. Sadly, this is not an isolated case but one among many of the cases of child labour exploitation in many countries in the region.

Progress has been made in reducing child labour in Thailand in the last two decades, but the demand for cheap, unskilled migrant labour from neighbouring countries (Myanmar, Lao PDR and Cambodia) has led to an increase in child migrant workers. Also, significant pockets of Thai child labour remain among under-privileged urban and rural children and ethnic minorities.

The Ministry of Labour reports that there were 300,000 children aged 15-17 years legally employed in registered establishments in 2005 (60 per cent male and 40 per cent female). But this official figure does not include illegal work by children under 15, especially unregistered or incorrectly registered migrant children. Other unofficial figures suggest that, when the informal sector is taken into account, there are around 1.7 million 15-19 year-olds engaged in different types of work.¹

In Thailand child labourers work in several sectors including small-scale factories, fisheries, construction, agriculture, service sector, domestic work, forced begging and commercial sex. Although conditions are



A migrant child processing fish in Samut Sakhon Province, Thailand. Photo: ILO/T. Falise, 2005

generally better than in some other poorer countries, there are still examples of extreme abuses – as in Ann's case. Tackling the Worst Forms of Child Labour (WFCL) remains a serious challenge as bonded practices, restriction of movement, withholding of wages, dangerous or physically damaging work, exposure to social vices, underpayment, excessive working hours, exposure to unsafe chemicals, lack of provision for education or vocational training, and limited health care access, are all common.

Those children at particular risk from the worst forms of child labour have been identified as ethnic minorities, migrant children, children in poverty, runaways, school drop-outs, children from broken homes and children without birth certificates or official identification papers.

New research on the Worst Forms of Child Labour

The ILO-IPEC recently supported research projects on the situation of child labour in six provinces in Thailand as follows:

1. Domestic work, service sector and street begging in Chiang Rai,
2. Agriculture in Tak,
3. Service and agriculture in Udon Thani,
4. Fishing, fish-processing, domestic work and agriculture in Samut Sakhon, and
5. Fishing and fish-processing in Songkhla and Pattani.

Of more than 2,600 child labourers surveyed 35 per cent were below the legal minimum working age of 15 years. The majority of the children (63 per cent) worked more than eight hours per day, while a significant group (41 per cent) had to do evening or night work or had unspecified working hours.

A high proportion of child labourers were exposed to hazardous working conditions such as dust and smoke (40 per cent), noise (26 per cent), chemical substances (26 per cent) and "moral harms" (15 per cent).

Many children faced abuse by employers, including physical confinement (15 per cent), physical punishment (8 per cent), general harassment (20 per cent), sexual harassment (7 per cent), rape (1 per cent) and verbal humiliation (15 per cent).

In general child labourers were paid less than adults even if they carried out the same tasks. Half of the child labourers surveyed was paid less than 2,000 Baht per month (US\$53), roughly half the minimum legal daily wage in Thailand.

Vulnerability to the WFCL is closely related to gender, nationality/ethnicity and migration status. Forty-six per cent of all girls surveyed and 40 per cent of all boys were involved in the WFCL. The majority of children in the WFCL were non-Thai or migrant children from neighbouring countries, mainly Myanmar (67 per cent). Only 16 per cent of the working Thai children interviewed were in this category. Furthermore, only 34 per cent of the children in the WFCL were in possession of identity documents as compared to 69 per cent of the children in non-WFCL.

Lack of education is another important factor in making children vulnerable. Children in the WFCL had lower levels of education than other child labourers (non-WFCL). Of those children surveyed who had no education, 72 per cent were engaged in the WFCL.

The children's reasons for starting work were primarily the need for money, for themselves or their family. Usually the process began when they migrated with their family or with

¹ Figures from 2002 Assessment carried out by the NGO National Council for Children and Youth Development, and cross-referred with other available sources.

the assistance of relatives or friends. One third of these children had more than one job. Fewer than one in five were given the weekend off work or annual holidays. Education, health and social insurance were hardly ever provided.

Children over 15 were less susceptible to the WFCL; one third of this group were in the WFCL compared with more than half of those under 15.

Although there are no official government statistics on the number of children trafficked into and out of Thailand, recruitment conditions and observations indicate that a significant number of under-aged migrant children are victims of trafficking. In addition to employers' quest to maximize profits with cheap pliant labour, child labour and trafficking in Thailand prevails.

Factors contributing to the trafficking of child workers include:

- Uneven social, political and economic development between Thailand and neighbouring countries prompting both regular and irregular migration;
- Transnational organized criminal groups;
- Lack of consistent and effective migration management;
- Poor labour inspection, particularly in sectors with many migrant workers;
- Corruption and failure to enforce existing laws by some individual authorities;
- Lack of citizenship for hilltribe people; and
- Lack of legal status among foreign migrant children and youth.

National responses to eliminating the Worst Forms of Child Labour

The legal and policy framework surrounding child labour and the WFCL is comprehensive, although some improvements can be made on specific issues. Thailand ratified Convention 182 in 2001 and Convention 138 in 2004. Positive aspects of law and policies include: compulsory schooling to age 15, cheap basic health care; strict limits on work for 15-17 year olds, agreements with neighbouring countries on regularizing

Project to support national action to combat child labour (2006-2009)

Coverage: Six provinces in Thailand: Chiang Rai, Tak, Udon Thani, Samut Sakhon, Songkhla and Pattani

Development objective: To reduce child labour, especially immediate elimination of the worst forms

Main focus areas:

- Support a range of provincial interventions in selected sectors, prioritizing six provinces
- Focus on longer-term prevention, including awareness-raising, education, vocational training and family livelihoods
- Promote improved education and training policies, including non-formal education and vocational training
- Support improved labour inspection and develop community and workplace child labour monitoring systems
- Work towards integrating the child labour dimension of migration in various existing bilateral and subregional mechanisms

migration and tackling trafficking, and a cabinet resolution to extend education to all in Thailand regardless of nationality.

However, there is a long way to go before these policies and laws are fully implemented. Regulation and inspection needs to improve to be effective. The rights of migrants, minorities without citizenship and other disadvantaged Thais need further recognition in regard to access to services, education, decent jobs, freedom of association, etc. Funding allocations need to reflect these priorities.

The Government is responding to some of these challenges and civil bodies are increasingly engaged.

ILO project to support national action on child labour

A new ILO project on combating child labour will build on the experiences Thailand has had over the past decade. It is a partnership project that aims to support a nationally-led response through the inter-ministerial

National Committee on the Worst forms of Child Labour (C. 182 Committee), chaired by the Minister of Labour.

The design of the project is based on the latest research on the WFCL in Thailand and at national and provincial workshops. The Government was fully engaged at provincial and national levels, and is already using the process to revise the draft National Plan of Action on the Worst Forms of Child Labour.

The project will support a range of interventions in selected sectors in six provinces. It will develop a framework for strategies and programmes on education, poverty eradication and human resource development. It will also focus on longer term prevention including awareness-raising, education and vocational training, family livelihoods, etc. Furthermore the project focuses on the withdrawal of those in the WFCL, including hazardous work, by ensuring workplace improvements, shorter working hours and education and vocational training as an alternative to labour.

At the national level, the project will support policy improvement and wider engagement, with provincial officials providing concrete examples for wider replication. These steps aim to build replicable models of effective action, mobilize support and extend reach. The specific nature of provincial interventions varies given different local contexts.

The project will promote improved education and training policies, including non-formal education and vocational training. Where possible it will promote access to the formal government school system and encourage flexibility to make attendance easier. At policy level the project will look to promote education for all children in Thailand. It will also promote safer migration for children above 15 through migrant-related policies and their implementation, such as access to legal services, regularization of flows and registration. The project will also support improved labour inspection and developing a community and workplace child labour monitoring system.

SMEs, **DISABILITY** AND DIVERSITY

By Debra Perry, Senior Specialist in Vocational Rehabilitation, ILO Subregional Office for East Asia.

In many countries, small and medium-sized enterprises (SMEs) are the main source of jobs for disabled persons. Yet small employers often lack the knowledge, resources and technical support available to large corporations. Members of the panel on Disability in the Workplace: Challenges Faced by Small and Medium-Sized Enterprises, one of two sessions addressing disability issues at the 2006 Global Compact Policy Dialogue¹, offered some concrete solutions.

“The main problem that many disabled people face in the workplace is the reactions of other people, who can be hesitant to interact with them,” said Léonie Watson, opening the discussion. Ms. Watson is blind and heads the Accessibility Research Programme at Nomensa.² Having become disabled as an adult, she said her disability derailed her confidence. When the time came to return to work the prospect was daunting. But Ms. Watson admitted she had it easier than most because, as a favour, she agreed to review a website for its ease of accessibility for blind users. As a result she was offered a job with UK-based Nomensa. She was therefore able to avoid the demoralizing experience that many disabled job seekers face: repeated rejections based on their disability before their skills are recognized or other issues overcome.

Ms. Watson, who works with many small and large companies, says smaller businesses in particular are fearful of the costs. While many jobs do not require any adaptations for a disabled person to do them, others do and the costs vary depending on the type of job and the person’s disability. For visually impaired people in office or IT positions these tools include screen readers, screen



A highly skilled worker with disability at an electrical company in Thailand. Photo: ILO, 2006

modifiers or talking fax machines. Since these devices level the playing field for people with certain types of disabilities, and can mean the difference between work and dependency, many countries, including the UK, have policies and legislation to reimburse the company or the individual for costs related to purchasing such devices. These measures are a real help for small businesses who want to access diverse employees.

Meghamalie Aliwihare of the Employers Federation of Ceylon (EFC) and its Employers Network on Disability explained what the Network has done to assist its members, including providing disability-awareness training, publicizing good practice examples, job fairs, developing a database of disabled job seekers, and training disabled job seekers in interview skills, IT and English. Recently the EFC developed a Code of Good Practice on Managing Disability Issues in the Workplace.

The EFC has learned the value of partnership by joining forces with the UK-based NGO Motivation Trust, the Sri Lankan Department of Social Welfare, and the expertise of its members. For example, the Nestle Company recently joined the Network and launched a major media campaign to bring the issue of disability to public attention.

In collaboration with the ILO’s Factory Improvement Programme, the EFC has brought disability-awareness training to 10 factories that are now beginning to hire disabled workers.

The Network’s Chairman, Mr. Shriyantha Perera, is the Chief Executive Officer of ID Lanka Limited, Sri Lanka’s second largest producer and distributor of alcoholic beverages. The company has 269 employees, 4.5 per cent with disabilities and the company plans to hire more.

Like many SMEs, ID Lanka had difficulty finding both disabled job seekers and the technical and support services needed. The Employers’ Network job fairs solved the first problem and its partnering organizations helped with the second.

Mr. Perera acknowledged there is a “feel good factor” to hiring disabled workers, but also a very real benefits. His data show that:

- Productivity of the disabled employees is above that of the average worker.
- Overall productivity of the entire workforce has improved after hiring disabled workers.
- Disabled workers seem more committed to work. They are model employees.
- Their attendance and punctuality is better than the norm.

Dave Parr of the Trade Union Congress (TUC) offered another perspective on helping SMEs, based on the TUC’s Champions@Work project.

During TUC’s training programmes union representatives learn about disability management issues and return to the workplace more able to advocate and represent the rights and needs of disabled workers, including ways of accommodating their needs to enhance productivity. “While some SMEs are fearful of trade unions, this programme can be a benefit in helping to change the work environment for disabled persons,” he said.

Since many workers are more comfortable going to their union representative when disability-related problems arise, training Champions makes sense. With union membership in the UK currently at seven million and the number of disabled persons at 10 million, Mr. Parr sees disabled workers as a target group for increasing membership.

¹ The Global Compact Policy Dialogue, in London from 6-7 October, had a theme of Combating Discrimination and Promoting Equality in the Workplace. (www.policydialogue2006.org)

² The Accessibility Research Programme at Nomensa is a business that helps to make the Internet accessible to all.

STRENGTHENING SOCIAL DIALOGUE FOR TRADE UNIONS IN VIET NAM

By Christine Nathan, Regional Specialist in Workers' Education, ILO Regional Office for Asia and the Pacific

Trade unions, through social dialogue, seek to influence policy making, improve workers' living and working conditions, including safety and health, and contribute to social and economic progress.

The Vietnam General Confederation of Labour (VGCL) is the only trade union organization in Viet Nam. Its structure covers provincial, district and enterprise level groupings. Before Viet Nam's transition from a centrally planned economy, where all enterprises were owned by the state, towards a market economy, the country had very high union membership because all workers were required to be members of a union affiliated with the VGCL Confederation.

The economic transition created an entirely different environment for employment relations at the enterprise level. While unionization is still relatively high (85-90 per cent) in state-owned enterprises, it is very low in foreign-invested and privately owned enterprises, perhaps not more than 10 per cent.

An increasing gap between the interests of employers and workers is also apparent, and the number of labour disputes has risen in the last decade. Between 1995 and late 2004 there were 744 reported strikes. About 60 per cent of all strikes were in foreign-invested enterprises (which account for only around 3 per cent of the total number of enterprises, but 15 per cent of the enterprise workforce), 30 per cent were in privately-owned enterprises and the remaining 10 per cent of strikes were in state-owned enterprises.



A workshop for employers in Viet Nam on organizing and collective bargaining. Photo: ILO Viet Nam, 2006.

According to ILO findings, during 2002-2004, the complaints behind strikes included low wages, non-payment of bonuses, excessive working hours, unpaid wages and overtime, lack of labour contracts and social insurance, and illegal fines of workers. Strengthening social partners' capability in social dialogue is essential and it is in this context that trade union education and training is necessary.

Changes to industrial relations legislations, structures and institutions have not kept pace with the transformation of the economy.

The issue behind "wildcat strikes" is not so much that the legal procedures do not work as that the social partners at enterprise level are not equipped to effectively settle grievances. What was required was not education on labour law alone, but training on functional industrial relations.

For trade unions this meant training members in collective bargaining and workplace representation. Trade unions in a market economy need to have workplace union representatives know about labour legislation, monitor employers' violations of labour laws, take up members' grievances and take action if collective bargaining fails to produce an agreement. Trade unions also need organizational structures that enable them to represent workers' interests, independent from the management and free from employer interference.

In June 2005, the VGCL approached the ILO for a project on "Capacity Building in Collective Bargaining, Wage Negotiation and Grievance Handling". Activities were aimed at improving social dialogue at enterprise level to pave the way for constructive

negotiation before and after differences emerge. The VGCL also needed assistance on understanding and using labour legislation, promoting respect for human rights and labour standards, training on collective bargaining skills and procedures, and handling grievances. In the private sector, where trade union membership was low and collective bargaining was weak, attention was given to devising effective methods for organizing workers.

Initially there were several obstacles, including low skill levels and increasing amounts of industrial conflict. Many employers made changes to boost productivity, without consulting workers.

Six workshops were conducted in Hanoi, Ho Chi Minh and Danang, each for about 15 trainers; a total of 85 people were trained. Then each of these trainers organized workshops covering collective bargaining, grievance handling, organizing techniques, and meetings with workers prior to and after negotiations.

A worker participant remarked: "It was very useful for us to be trained as negotiators, as only we know and understand our working conditions, our problems at the workplace and the occupational safety and health conditions at our factory." Another participant stated: "In our workplace, we are the majority, but the majority is out of the decision-making process and hence we need to have special training for women as negotiators."

The first evaluation of the project this year showed the effectiveness of the enterprise-level industrial relations training, which resulted in the inclusion of new issues in the Collective Bargaining Agreements, such as wages, working hours, occupational safety and health and better welfare facilities. Unions have included women in negotiation teams and used new techniques for collecting information before drafting an agreement. Union representatives are now increasingly consulted with regard to settlement of workplace disputes. Some unions reported increases in membership, notably in SMEs where organization has been traditionally difficult.

EMPLOYERS' ORGANIZATIONS CONTRIBUTE TO DECENT WORK AGENDA

By Anne Knowles, Senior Specialist in Employers' Activities, ILO Regional Office for Asia and the Pacific

Whichever part of the world it is in, at whatever stage of economic and social development a country might be, an employers' organization has two key functions: to be the employers' voice in ensuring that the legislative environment is the best possible for enterprises to flourish, and to provide services to member companies that enable them to be competitive and so continue to create employment opportunities.

From an employer's perspective the key elements underpinning decent work must be that governments create the national environment necessary for businesses to compete successfully. Businesses themselves must ensure that their productivity is sufficient to enable them to provide employment. Steven Goh, a Singaporean employer panelist at the ILO's 14th Asian Regional Meeting (AsRM) summed this up when he said: "Unless enterprises are productive and competitive then there are no jobs – decent or otherwise."

This year the employers' organizations in Asia Pacific had three opportunities to meet and develop coordinated strategies to support the ILO's decent work agenda.

In April members of the Confederation of Asia and Pacific Employers (CAPE), with support from the ILO and the International Organisation of Employers (IOE), met in Beijing, China, to discuss the impact of labour legislation and labour market flexibility.

The 12 Action Points

- Labour law
- Labour market reform strategies
- Impact of privatisation on the labour market
- ILO standards and supervisory machinery
- SME development strategies
- Cost of doing business
- Relations and alliances
- Income disparity
- Migration
- Governance and political stability
- Demographics
- Education and training

Employers are very aware that the need of employees for job security can compete with employers' requirements for sufficient flexibility in working hours, operational processes and job redesign to allow them to stay in business. The most effective way to balance these interests is a concept that focuses on the *employability* of a workforce – not necessarily employment in the same job, doing the same work, for the lifetime of an individual employee. This requires the coordinated focus of all three ILO constituents.

Governments must pass legislation that supports such practices. Employers and their organizations need to commit to on-going skills needs assessments and work closely with vocational training institutions to ensure there is no "mismatch" of courses/skills offered with the jobs available, and provide on-the-job training to foster multi-skilling. Employees in turn need to adopt the culture of "life-long learning" – being open to new methods, new technology and even new jobs.

The first meeting of the year, therefore, started with a focus on the primary requirement – a supportive legislative environment that recognizes modern labour market practices. Participants shared examples of their domestic legislation that actively supported a dynamic business environment and highlighted barriers in legislation that needed to be avoided when undertaking labour market reform. This information sharing and networking was a positive step in creating a regional

approach that would support the decent work agenda.

The second meeting was the 7th High Level Employers' Meeting, supported by the ILO's Bureau for Employer Activities, the Japan Business Federation and the IOE. It took place in Ulaan Baatar, Mongolia in July and was attended by the President and Director General of each of the region's 22 employers' organizations. This meeting addressed issues that might be expected to be highlighted by employer representatives – such as the cost of doing business, compliance issues, entry/set up costs, and governance and political stability – but also focused on many issues related to social aspects of a country's development that successful, enterprise-level strategies could impact. Hence, income disparity, changing demographics, the impact of privatization on labour markets, relationships and alliances, SME development strategies, and education and training were all topics that the leaders of the employers' organizations said should be focused on in work plans, not only by ACT/EMP, the IOE and CAPE but by their own organization's staff as well.

As a result 12 networks have been established, concentrating on each of the action points identified. The responses from the employers' organizations are encouraging. The organizations recognize and accept the crucial role that employers have in determining decent work outcomes, and are prepared to put the time and effort into representing their members in forums where these matters are discussed, and in providing services to assist their members in understanding and implementing practices that will have a positive impact.

The third meeting was the AsRM in Busan, Republic of Korea, in August. This proved to be the culmination of the year's efforts of regional priority setting and cooperation initiatives and enabled the employers' group to endorse the commitment of employers throughout the region to work positively and constructively towards achieving the decent work goals for all Asian and Pacific countries.

WORKERS AND EMPLOYERS WEBSITES

www.ilo.org/actrav

The ILO Bureau for Workers' Activities is the main ILO link to workers and coordinates all activities of the Office related to workers and their organizations.

www.icftu-apro.org

The International Confederation of Free Trade Unions has 158 million members, 40 per cent of whom are women, in 150 countries/territories. The Asia Pacific regional office (APRO) is in Singapore.

www.world-psi.org

Public Services International is a global federation of public sector unions that includes 122 unions representing two million workers in 22 countries. Its Asia Pacific regional office is in Kuala Lumpur, Malaysia.

www.union-network.org

The Union Network International is a response to changes in the global economy including the impact of technology on overlapping industries. It brings together

about 900 unions, the world's largest grouping of individual trade unions. The Asia Pacific regional office is in Singapore.

www.itcilo.org

The ILO training centre in Turin, Italy works to enhance the capacity of governments, employers' and workers' organizations to be effective in the economic and social development. Courses include international labour standards, decent work, employment, social protection, social dialogue and tripartism.

www.ilo.org/public/english/dialogue/actemp

The ILO Bureau for Employers' Activities is responsible for nurturing employers' organizations by influencing the environment in which they do business and by providing services that improve individual performances.

www.cape-emp.org

The Confederation of Asia-Pacific Employers serves its member enterprises by making the region an attractive and

better place to do business as well as to promote both social and economic development.

www.ioe-emp.org

The International Organization of Employers represents the interests of 142 national employer organizations from 136 countries in labour and social policy fields.

www.mef.org.my

The Malaysia Employers Federation promotes and safeguards the rights and interests of employers. It provides a forum for consultation and seeks the adoption of sound principles and practices on human resources and industrial relations.

www.ecot.or.th

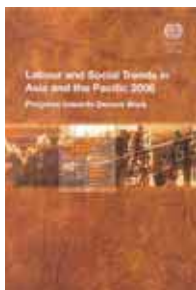
The Employers' Confederation of Thailand assists employers in achieving employment best practices and enhancing productivity, competitiveness, and employees' quality of work life. It provides business consultancy and training, and promotes understanding and cooperation with the government.

CALENDAR

Forthcoming Asia-Pacific Meetings 2006/7

4-6 December 2006 Kuala Lumpur, Malaysia	ILO/Malaysian Trade Union Congress Seminar for Southeast Asian trade unions on the protection of migrant workers,
December Samutsakorn, Thailand	ILO Japan project on managing cross border movement of labour: Trade Union Programme for the protection and promotion of the rights of migrant workers in Thailand
23-25 January 2007 Singapore	2007 ASEAN Policy Dialogue on National Occupational Safety and Health Framework
30 January-1 February Manila, Philippines	Regional technical meeting on effective approaches to skills development for poverty reduction and economic empowerment
13-16 February Chiba, Japan	Regional technical meeting on effective strategies and tools to promote skills and employability among young people
6-9 March Chiba, Japan	Regional technical meeting on the specific role of skills development in promoting productivity, competitiveness and decent work
27-29 March (tbc) Bangkok	Regional technical meeting on a draft framework, methodology and work plan on the skills and qualifications of migrant workers

SHELF LIFE


Labour and Social Trends in Asia and the Pacific: Progress towards Decent Work

Bangkok: ILO, 2006, 115 pp.
 ISBN 978-92-2-119039-4
www.ilo.org/asia/14arm/download/labour.pdf
 An overview of recent trends in the labour market, with thematic chapters on key employment and social trends and an expanded statistical annex.


Out of Work and into School: Our Development Challenge

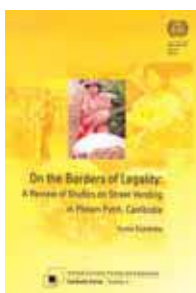
Bangkok: ILO, 2006, 94 pp.
 ISBN 978-92-2-119036-3
www.ilo.org/asia/apec/download/book.pdf
 This publication focuses on activities to promote education and training as a way of combating the worst forms of child labour.


Extending Labour Law to All Workers: Promoting Decent Work in the Informal Economy in Cambodia, Thailand and Mongolia

by David Tajzman, editor
 Bangkok: ILO, 2006, 153 pp.
 ISBN 978-92-2-118625-0
<http://www.ilo.org/asia/library/download/pub06-20.pdf>
 This report looks at the relevance to the informal economy of the labour law and labour administrations in Cambodia, Thailand and Mongolia. It looks at the conditions of specific groups of unprotected workers and examines how laws and institutions can be adapted to cover all workers and workplaces.


Handicraft Sector Design and Business Development Manual: A Step by Step Guide

by Bronwyn Blue
 Phnom Penh: ILO, 2006, 167 pp.
 ISBN 978-92-2-119164-3
<http://www.ilo.org/asia/library/download/pub06-16.pdf>
 A concise and easy-to-use guide on how to develop and market handicraft products.


On the Borders of Legality: A Review of Studies on Street Vending in Phnom Penh, Cambodia

by Kyoko Kusakabe
 Bangkok: ILO, 2006, 34 pp.
 ISBN 978-92-2-119116-2
<http://www.ilo.org/asia/library/download/pub06-19.pdf>
 A collection of different studies on street vending in Cambodia, covering its characteristics, its contribution to employment, and the role of associations in encouraging appropriate government policies that capitalize on the potential of this sector. Specific policy recommendations are outlined.


Policy Issues on Street Vending: An Overview of Studies in Thailand, Cambodia and Mongolia

by Kyoko Kusakabe
 Bangkok: ILO, 2006, 38 pp.
 ISBN 978-92-2-119166-7
<http://www.ilo.org/asia/library/download/pub06-21.pdf>
 A collection of studies on street vending in Cambodia, Mongolia and Thailand. It includes the core characteristics in the three countries and highlights the role of policies concerning the legal status of vendors, their social security and allocation of urban space.


National Occupational Safety and Health Profile of Mongolia

by Ayush Nyam
 Bangkok: ILO, 2006, 66 pp.
 English ISBN 978-92-2-119029-5,
 Mongolian 978-92-2-819029-8
<http://www.ilo.org/asia/library/download/pub06-18.pdf>
 This National Profile provides a comprehensive view of all issues related to occupational safety and health. The baseline information can be used to develop appropriate government policies and strategic action in this field.


The Mekong Challenge: Destination Thailand - A Cross-Border Labour Migration Survey in Banteay Meanchey Province, Cambodia

Bangkok: ILO, 2006, 87 pp.
 ISBN 92-2-118062-X
<http://www.ilo.org/asia/child/trafficking/downloads/bmsurvey.pdf>
 An analysis of labour migration in four districts (six communes) of Banteay Meanchey Province. The survey addresses the movement of workers across the Cambodian-Thai border. The data can be used to develop national policies on labour migration, job creation and skills-development programmes.


The Mekong Challenge: Cambodia's "Beer Promotion Girls" - their Recruitment, Working Conditions and Vulnerabilities

Bangkok: ILO, 2006, 102 pp.
 ISBN 92-2-118260-6
<http://www.ilo.org/asia/child/trafficking/downloads/beerpromotion.pdf>
 This survey examines the factors, quantitatively and qualitatively, that lead to the girls' recruitment, their day-to-day experiences and their working conditions.


The Mekong Challenge: Cambodia's Hotel and Guesthouse Workers - their Recruitment, Working Conditions and Vulnerabilities

Bangkok: ILO, 2006, 109 pp.
 ISBN 92-2-118258-4
<http://www.ilo.org/asia/child/trafficking/downloads/hotel.pdf>
 This study provides information on workers in hotels and guesthouses in Siem Reap, Cambodia, an area of work which has been linked to trafficking in children and young women.